

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CISCO SYSTEMS, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 10-687 (GMS)
)	
MOSAID TECHNOLOGIES INC.,)	
PHILLIP SHAER and JOHN LINDGREN,)	
)	
Defendants.)	

**MOSAID TECHNOLOGIES INC.'S AND CISCO SYSTEMS, INC.'S
JOINT MOTION TO AMEND SCHEDULING ORDER**

Plaintiff and counterclaim defendant Cisco Systems, Inc. ("Cisco") and defendant and counterclaim plaintiff MOSAID Technologies Inc. ("MOSAID") (collectively, "parties," and individually, each is a "party") respectfully submit this joint motion to extend the date for completion of fact discovery to February 28, 2014. The close of fact discovery is currently set for December 20, 2013, under the September 4, 2013, amendment to the Scheduling Order [D.I. 63] (*see* Sept. 4, 2013 order re D.I. 116). This extension will not impact any other dates in the procedural schedule governing this action.

The parties respectfully submit that there is good cause for the requested extension because the parties believe that additional time is required to complete fact discovery, including in light of the discovery sought by Cisco in Israel pursuant to the Letters of Request issued by this Court on July 30, 2013 [D.I. 110]. Those requests are currently being enforced by the Magistrate's Court for Tel Aviv-Jaffa, which has set January 13, 2014 as a date for witness examination in connection with those requests. The requested extension should therefore allow the parties to complete their fact discovery, as well as to continue to streamline issues related to each party's positions in the litigation. The requested extension will not affect any of the other

dates currently set in the procedural schedule. Accordingly, the parties jointly and respectfully request that the Court grant this motion and amend the Scheduling Order [D.I. 63 and 116] to extend the fact discovery cut-off date from December 20, 2013 to February 28, 2014.¹

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¹ This requested extension of the fact discovery completion date is without prejudice to Cisco's ability to seek (and MOSAID's ability to oppose) a further extension of that deadline or to seek other relief to the extent warranted by the existing fact discovery schedule, including in light of Cisco's ongoing efforts to pursue discovery from SercoNet Ltd. and the liquidator of SercoNet Ltd. in Israel (the liquidator recently filed a request to extend the deadlines set by the court in Israel in connection with Cisco's Letters of Request) and the additional pleading challenge to Cisco's Second Supplemental and Amended Complaint raised by MOSAID and the individual defendants on August 30, 2013. *See* D.I. 120-22.

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SO ORDERED this _____ day of November, 2013.

Gregory M. Sleet, Chief Judge